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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ERIC LYON, an individual, and RYAN MURPHEY, an individual

Plaintiff,

vs.

J. CREW, INC., a Delaware corporation

Defendant.

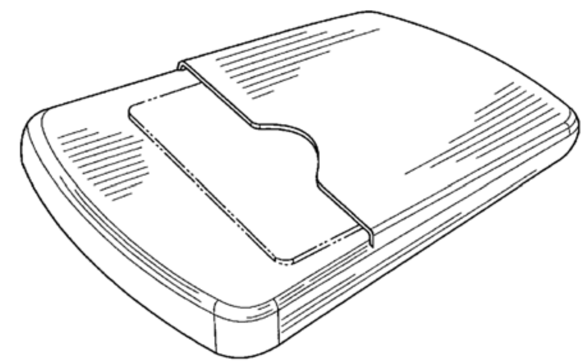
Case No.

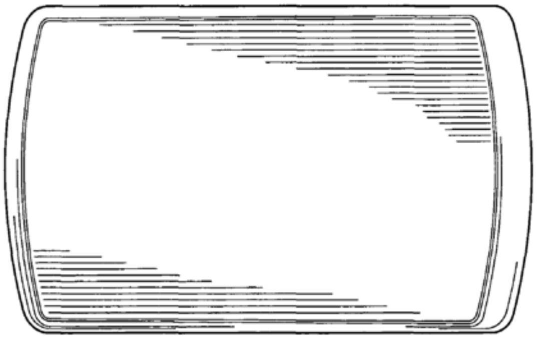
COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Eric Lyon and Ryan Murphey, ("Plaintiffs") allege for their Complaint against J. Crew, Inc. ("Defendant"), as follows:

Introduction

1. This is a case for infringement of U.S. Design Patent No. D625,920, covering smartphone cases. Defendant has offered for sale its own cases that bear a substantial degree of similarity to the '920 Patent. Side-by-side images of key drawings from the patent and the Accused Products are shown immediately below.





Parties

2. Plaintiff Eric Lyon is an individual residing and doing business in the Central District of California. As alleged below, Lyon is an inventor and owner of U.S. Design Patent No. D625,920 (the "'920 Patent").

3. Plaintiff Ryan Murphey is an individual residing and doing business in the Central District of California. As alleged below, Murphey is an inventor and owner of U.S. Design Patent No. D625,920 (the "'920 Patent").

4. Defendant J. Crew, Inc. ("Defendant") is a Delaware Corporation with its principal place of business a 770 Broadway in New York City. Defendant conducts business in the District, including without limitation at stores in Santa Monica, Century City, Los Angeles and Glendale.

Jurisdiction and Venue

5. This is a civil action for patent infringement arising under the Patent Act of the United States. This Court has subject matter jurisdiction of such federal question claims pursuant to 28 USC §§ 1331 and 1338(a).

6. Venue is proper in this district because a substantial part of the events or omissions giving rise to the claim occurred in this district.

7. This Court has personal jurisdiction over Defendant because Defendant conducts business and/or conducted a substantial part of its unlawful conduct in this district

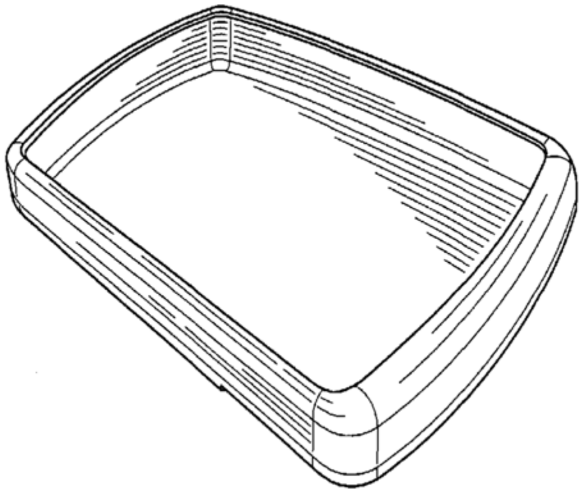
The Patent at Issue

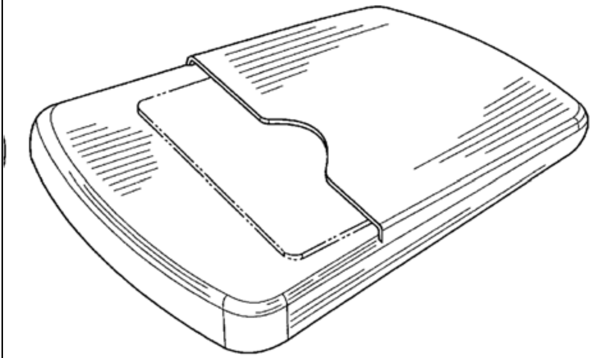
8. On October 26, 2010, the United States Patent & Trademark Office duly and legally issued United States Design Patent No. D625,920, entitled "Case With Integrated Pocket." The '920 Patent claims among other things, an ornamental design for a smartphone case with an integrated pocket. A true and correct copy of the '994 Patent is attached as Exhibit A and incorporated herein by reference.

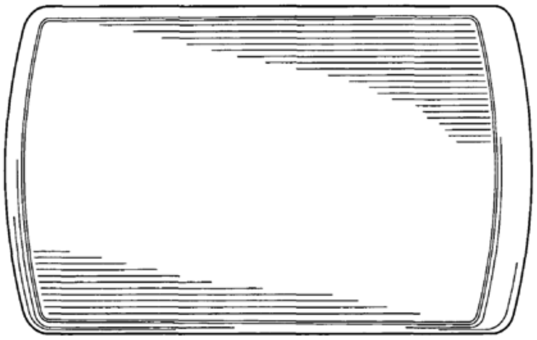
9. The '920 Patent was invented by Plaintiffs and is held by Plaintiffs.

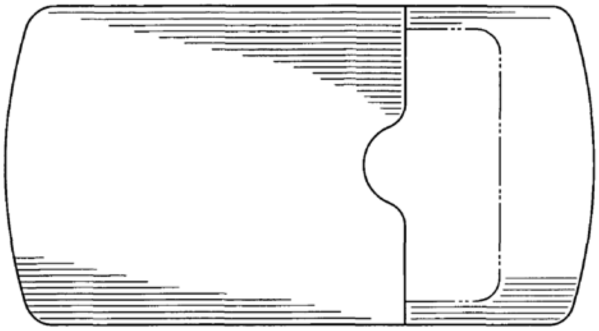
10. Defendant has offered for sale a smartphone case with an integrated pocket (the "Accused Product") in the District.

11. A side-by-side picture of the Accused Product and the relevant image from the '920 Patent is reproduced below.









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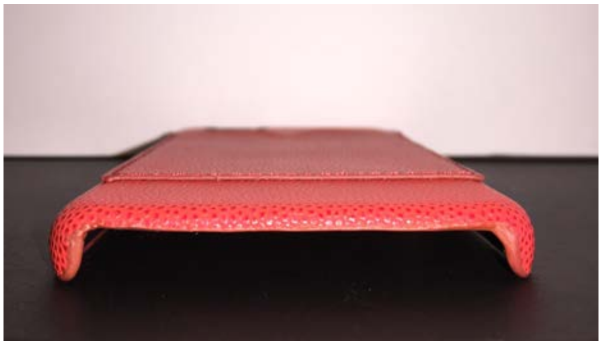

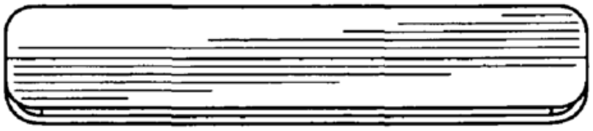

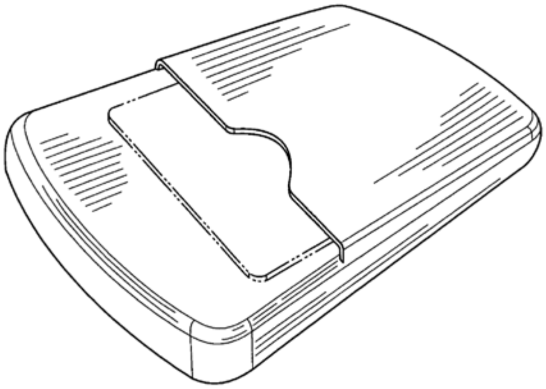

FIRST CLAIM FOR RELIEF

(Patent Infringement)

12. Plaintiffs repeats and re-alleges each and every allegation of Paragraphs 1-11 as though set forth herein.

13. Plaintiffs are the owners of all right, title and interest in the ‘920 Patent.

14. By making, using, selling and offering for the Accused Products, Defendant has infringed and will continue to infringe the ’920 patent under 35 U.S.C. 271, directly and/or indirectly, contributorily and/or by inducement.

15. On information and belief, Defendant will continue to infringe the ‘920 Patent unless enjoined by this Court.

16. On information and belief, Defendant’s infringement of the ‘920 Patent is, has been and continues to be willful and deliberate.

17. As a direct and proximate result of Defendant’s infringement of the ‘920 Patent, Plaintiffs have been damaged in an amount to be proven at trial, but in no event less than a reasonable royalty.

18. Plaintiffs have suffered irreparable injury as a direct and proximate result of Defendant’ acts of infringement for which there is no adequate remedy at law. Unless Defendant is enjoined, Plaintiffs will continue to suffer such irreparable injury as a direct and proximate result of Defendant’s conduct.

Prayer for Relief

Plaintiffs request that the Court enter judgment as follows:

1. That Defendant has directly infringed the ‘920 Patent
2. That Defendant be enjoined from infringing the ‘920 Patent;
3. For damages in an amount to be proven at trial;
4. For Plaintiff’s expenses and attorney’s fees; and
5. For such other relief as the Court deems just, equitable and proper.

Demand for Jury Trial

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiffs demand trial by jury on all issues.

DATED: May 18, 2017

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By: /s/*Nathan D. Meyer*
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